

MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building on Tuesday, April 9, 2019 at 6:40 p.m. The meeting was called to order by Mayor Greg Hines. The Invocation was given by Rev. Shane Pair of Oakley Chapel United Methodist Church. Those in attendance were led in the Pledge of Allegiance.

PUBLIC FORUM:

There were no comments from anyone in the audience.

The Public Forum was declared closed.

COUNCIL MEMBERS PRESENT:

Mark Kruger, Betsy Reithemeyer, Gary Townzen, Marge Wolf, Clay Kendall, Jerry Carmichael, Barney Hayes and Mandy Brashear were present.

OTHER OFFICIALS PRESENT:

City Clerk-Treasurer Peggy David, Staff Attorney John Pesek, Fire Chief Tom Jenkins, Police Chief Hayes Minor, Water Utilities Superintendent Brent Dobler, Parks Superintendent Stan Weaver, City Planner Lori Ericson, PR Specialist Ben Cline, Director of Community Development John McCurdy and Assistant to the Mayor Carey Hollis.

ACTION ON MINUTES:

(March 26, 2019)

Motion by Townzen, second by Hayes to approve the minutes of March 26, 2019 as submitted.

Voice vote: Unanimous -Yes. ***Motion carried.***

Approves the suspending of rules for the meeting.

Motion by Kruger, second by Wolf to suspend the rules to consider all items on the agenda on a single reading and by title only.

Roll call: Unanimous – Yes. ***Motion carried.***

REPORTS OF BOARDS AND STANDING COMMITTEES:

(Agenda Item #1)

RES. #R19-28 Amending the 2019 Budget to Recognize Grant Funds in the Amount of \$30,567; Appropriating That Same Amount into Acct. #100-01-70995

The resolution was introduced by Councilmember Reithemeyer and read by title only by Staff Attorney John Pesek.

Reithemeyer chair of the Finance Committee, reported the committee had met, recommended a “Do pass” and recognized PR Specialist Ben Cline.

Cline explained the city was approached by Crystal Bridges to add a mural to downtown Rogers. With help from the Walton Family Foundation, a grant offer has been made to provide funding for a mural to be painted on the “Old Ice House” building off of North Arkansas near the Monte Ne Round-About. This resolution would recognized the grant. The Public Art Commission unanimously approved the project. The London-based artist, Rich Simmons, will commemorate Leonardo da Vinci’s death 500 years ago by painting an image of a woman wearing sunglasses with the Mona Lisa in each lens.

Motion by Reithemeyer, second by Wolf to adopt the resolution.

Voice vote: Unanimous – Yes. ***The resolution is adopted.***

(Agenda Item #2)

ORD. #19-28 Amending City of Rogers Ordinance **#19-24** for the Purpose of Correcting an Error

The ordinance was introduced by Councilmember Carmichael and read by title only by Pesek.

Carmichael reported the Community Environment and Welfare Committee took no action of this and recognized Community Development Director John McCurdy.

McCurdy reported at the last meeting the rezoning ordinance was adopted without the required language regarding the density concept plan. This ordinance amends **ORD. #19-24** to include the density concept plan.

The Mayor asked, “Shall the ordinance pass?” Roll call: Unanimous – Yes. ***The ordinance is adopted.***

The Mayor asked, “Shall the emergency clause pass?”

Roll call: Unanimous – Yes. ***The emergency clause is adopted.***

(Agenda Item #3)

ORD. #19- Amending Chapter 50 of the Code of Ordinances, City of Rogers, Arkansas; Providing for the Installation and Regulation of Small Cell Wireless Facilities

Withdrawn.

(Agenda Item #4)

RES. #R19-29 Authorizing a Contract with Nabholz Construction Services for the Pleasant Grove-Phase III Improvement Project; Accepting the Lowest Qualified Bid

The resolution was introduced by Councilmember Kruger and read by title only by Pesek.

Kruger, chair of the Transportation Committee, reported the committee had met, recommended a “Do pass” and recognized Project Engineer Lance Jobe.

Jobe reported that bids were advertised with four bidders submitting bids. This resolution awards the contract to Nabholz Construction Services, the lowest qualified bidder for the project.

Motion by Kruger, second by Hayes to adopt the resolution.

Voice vote: Unanimous – Yes. ***The resolution is adopted.***

(Agenda Item #5)

RES. #R19-30 Authorizing the Execution of Agreements Necessary for the Pleasant Grove Road-Phase III Project

The resolution was introduced by Councilmember Kruger and read by title only by Pesek.

Kruger reported the Transportation Committee, committee had met, recommended a “Do pass” and recognized Jobe.

Jobe reported this resolution allows for agreements for material testing, observation services, etc., associated with the construction to be executed.

Motion by Kruger, second by Reithemeyer to adopt the resolution.

Voice vote: Unanimous – Yes. ***The resolution is adopted.***

None.

The ordinance was introduced by Councilmember Kruger and read by title only by Pesek.

Cindy Bolejack, owner, requested the rezoning which was unanimously approved by the Planning Commission.

Councilmember Carmichael reported the Community & Welfare Committee had reviewed the project and recommended a “Do pass.”

The Mayor asked, “Shall the ordinance pass?”
Roll call: Unanimous – Yes. ***The ordinance is adopted.***

The Mayor asked, “Shall the emergency clause pass?”
Roll call: Unanimous – Yes. ***The emergency clause is adopted.***

The ordinance was introduced by Councilmember Kruger and read by title only by Pesek.

Carmichael reported the Community & Welfare Committee had reviewed the project and recommended a “Do pass.”

Kelsey Kreher of HFA, presented the rezoning request that was unanimously approved by the Planning Commission.

OLD BUSINESS:

NEW BUSINESS:

(Agenda Item #1)

ORD. #19-30 Rezone from A-1 to N-R, 2331 W. Seminole Street (B & B Property Investment, LLC)

(Agenda Item #2)

ORD. #19-30 Rezone from C-2 to U-NBT, 2.51 Acres at W. Maple Street and N. 23rd Street (Smith & Palmer Development Co.)

The Mayor asked, “Shall the ordinance pass?”
Roll call: Unanimous – Yes. ***The ordinance is adopted.***

The Mayor asked, “Shall the emergency clause pass?”
Roll call: Unanimous – Yes. ***The emergency clause is adopted.***

(Agenda Item #3)

ORD. #19-31 Rezone from R-O to C-2, Part of Lots 15 & 16 in Block 1 of Revised Hillcrest Addition (Jose Alfredo Jimenez Ramirez)

The ordinance was introduced by Kruger and read by title only by Pesek.

Carmichael reported the Community & Welfare Committee had reviewed the project and recommended a “Do pass.”

Jimenez, the owner, and his interrupter Marcy Chavez, presented the rezoning request. The Planning Commission unanimously approved the rezoning.

The Mayor asked, “Shall the ordinance pass?”
Roll call: Unanimous – Yes. ***The ordinance is adopted.***

The Mayor asked, “Shall the emergency clause pass?”
Roll call: Unanimous – Yes. ***The emergency clause is adopted.***

APPOINTMENTS:

Mayor Hines recommended the appointment of appointment of Dayton Castleman to the Rogers Public Art Commission to fill Dr. Bryan Harvey’s unexpired term of October 28, 2020.

Approves the appointment of **Dayton Castleman** to the **Rogers Public Art Commission** to fill Dr. Bryan Harvey’s unexpired term of October 28, 2020.

Motion by Kruger, second by Brashear to approve appointment of Dayton Castleman to the Rogers Public Art Commission as recommended.

Voice vote: Unanimous – Yes. ***Motion carried.***

ANNOUNCEMENTS:

None.

There being no further business, motion by Kruger, second by Wolf to adjourn the meeting. Meeting adjourned at 6:42 p.m.

ATTEST:

APPROVED:

Peggy David, City Clerk-Treasurer

C. Greg Hines, Mayor